

**IN THE DRAWINGS:**

Please replace drawing sheet 1 containing Figures 1 and 2 with the attached corrected drawing sheet, in which reference numerals "10" and "11" have been corrected to "100" and "110" respectively.

## **REMARKS**

Claims 1-6 are pending in this application. By this Amendment, claims 1-3 are amended and new claims 4-6 are added. No new matter is added.

The Office Action objects to the Information Disclosure Statement (IDS) filed October 31, 2003. Applicants have attached hereto, for the Examiner's reference, a copy of the IDS filed October 31, 2003, along with a new IDS listing corresponding U.S. Patent No. 5,151,246. Acknowledgement of consideration of the reference submitted with the IDS is respectfully requested.

The Office Action objects to the drawings as failing to comply with 37 CFR 1.84(p)(4). Applicants have attached hereto corrected drawing sheets that are believed to obviate this objection. Reconsideration and withdrawal of the objection to the drawings are respectfully requested.

The Office Action objects to the specification for containing asserted informalities. Applicants believe that the drawings aspect of the objection is overcome with the filing of the corrected drawings, as discussed above. Regarding the reference cited in the IDS, as discussed above, Applicants have attached a copy thereof that Applicants obtained from the Japanese Patent Office web site. Thus, reconsideration and withdrawal of the objection to the drawings are respectfully requested.

The Office Action rejects claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Adams, Jr. et al. (U.S. Patent No. 6,136,085). The Office Action also rejects claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Howard,

Jr. et al. (U.S. Patent No. 4,187,210). These rejections are traversed as they may apply to the amended and new claims.

Present claims 1-3, as amended, are directed to a "combination of a foaming agent and a molten metal" used for manufacturing a foamed or porous metal, comprising: a foamable powder; and a coating layer of  $\text{SiO}_2$  covering the particle surfaces of the powder" (claim 1). In claims 2 and 3, the powder is respectively limited to "a carbonate" (claim 2) and  $\text{CaCO}_3$  or  $\text{MgCO}_3$  (claim 3).

Adams, Jr. et al. is directed to a pigment. Howard, Jr. discloses homogenous, highly-filled, polyolefin composites. Neither Adams, Jr. et al. nor Howard, Jr. teaches or suggests a mixture or a foaming agent and a molten metal, as required by present claims 1-5.

Present claim 6 is directed to a foaming agent that includes  $\text{MgCO}_3$ . Neither Adams, Jr. et al. nor Howard, Jr. teaches or suggests a foaming agent including  $\text{MgCO}_3$ , as required by present claim 6.

Thus, neither of Adams, Jr. et al. nor Howard, Jr. can anticipate the present claims.

For at least the above reasons, reconsideration and withdrawal of the rejections of claims 1-3 under 35 U.S.C. 102(b) are respectfully requested.

In view of the above remarks, Applicants respectfully submit that this application is in condition for allowance. Thus, allowance of claims 1-3 is respectfully requested. Favorable consideration and prompt allowance of the claims are earnestly solicited. Should the Examiner believe anything further is desirable in order to place this application in even better condition for allowance,

the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

In the event this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The Commissioner is authorized to charge payment for any additional fees that may be required with respect to this paper to Counsel's Deposit Account 01-2300, referring to client-matter number 101154-00014. Thus, please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300, **making reference to Attorney Docket No. 101154-00014.**

Respectfully submitted,

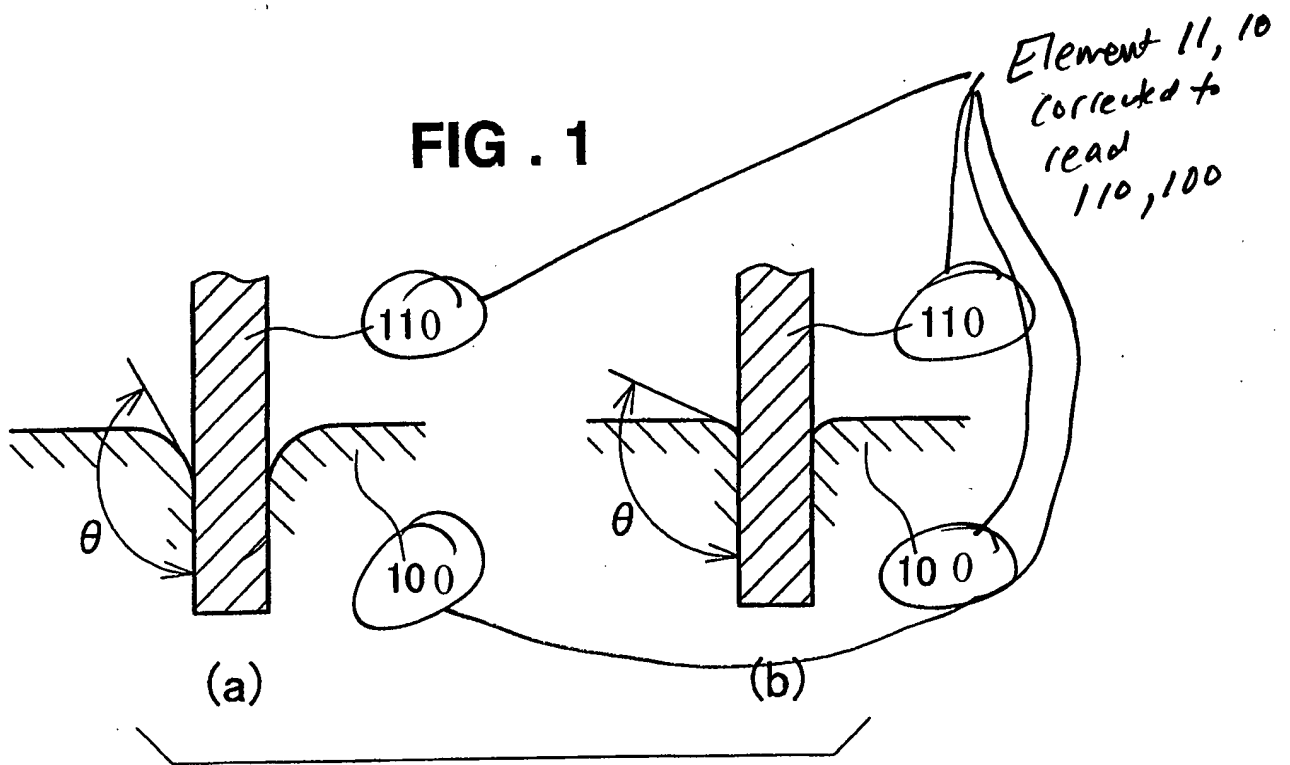
A handwritten signature in black ink, reading "Robert K. Carpenter", written over a horizontal line.

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**FIG . 1**



**FIG . 2**

